



UNIVERSITI PUTRA MALAYSIA

**SEXUAL HARASSMENT OF WOMEN CLERICAL WORKERS IN THE
WORKPLACE**

ROHANI BINTI ABDUL RAHIM.

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**DOCTOR OF PHILOSOPHY
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IN THE WORKPLACE**

By

ROHANI BINTI ABDUL RAHIM

**Thesis Submitted to the School of Graduate Studies, Universiti Putra Malaysia, in
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DEDICATION

To

Allah the Almighty for the inspiration

My Dearest husband

Junaidi Abu Bakar, Ph.D.

Our precious children

Aiman Aizuddin

Afiq Afham

Athir Amani

Alya Qistina

Akhtar Arif

My late parents

Allahyarhamah Fatimah Zaman

Allahyarham Abdul Rahim Hassan

Al-Fatihah



Abstract of thesis presented to the Senate of the Universiti Putra Malaysia in partial fulfilment of the requirements for the degree of Doctor of Philosophy

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By

ROHANI BINTI ABDUL RAHIM

Mei 2005

Chairperson : Professor Hjh. Maimunah binti Ismail, PhD

Faculty : Educational Studies

The issues on sexual harassment caught the national interest in the year 1999. The media frequently highlighted them particularly those happened at workplace. Women became the targeted victims in male dominated workplace and in sexual harassment tolerance environment. Many of those experiences went unreported and they suffered in silence for fear of retaliation and humiliation. In the legal perspective, it is essential that the meaning of sexual harassment be determined beforehand.

The study is guided by the following research questions: (1) What is the meaning of sexual harassment as perceived by the victims? (2) What is the level of awareness among the victims on sexual harassment? (3) How are the victims harassed and what are the types of sexual harassment experienced? (4) What are the causes of sexual



harassment and how do these causes facilitate sexual harassment? (5) How are the victims affected by the sexual harassment experienced? and, (6) How do the victims cope with sexual harassment and why do they choose such means?

It uses a qualitative case study approach on ten respondents. They were selected using the purposive sampling and the snowball technique. They were chosen based on criteria, that are: (a) female clerical workers (b) had experienced sexual harassment (c) the sexual harassment occurred at workplace (d) they were employed earlier either in the private or corporate body, and (e) they were more than 20 years old. The respondents were interviewed to draw data based on their experiences.

The findings of this study revealed that the victims perceived sexual harassment as unwanted behavior, sexual and sensitive in nature and gender related. There were two levels of awareness found, that are the previous and the recent awareness. The three types of sexual harassment identified by the victims were verbal request, verbal comments and non-verbal display. The causes of sexual harassments were viewed as the existence of opportunities, sexual tolerance environment, the harassers attitude and the victims personality, power and gender relations, and preplanned intention. Some of the effects mentioned by the victims were psychological consequences, changes in personality, health and social related problems and unsatisfactory work life. Finally, the study found that the victims used some coping strategies to deal with sexual harassments they experienced. That are, social support, self-coping, conduct informal



complaint and psychological coping.

The conclusions of the study are as follows: Firstly, there is difficulty in identifying the meaning of sexual harassment. Secondly, there are two levels of awareness about sexual harassment among clerical workers that is, previous and present awareness. Thirdly, the victims were sensitive to sexual harassments that were explicit and sexual in nature. Fourthly, ‘opportunities’ are regarded as the catalysts that cause sexual harassment among clerical women. Fifthly, emotional psychological and work related factors are most affected by sexual harassment victims and finally, there are problems coping with sexual harassment.

The study provides some significant implications. The victims became empowered and their knowledge on sexual harassment was enhanced, after going through the interview sessions that eventually generated awareness on their sexual harassment experiences. In the legal field, data from the study established similar meanings to the “reasonable women standard” used to decide cases in court. This is rather unique and creative because the court uses the layperson standard to decide on the meanings of “sexual harassment”. In the organization, greater liabilities were imposed on the employers to ensure the workplaces are free from sexual harassment practices. Future research on every aspect of sexual harassment practices can be conducted in various fields such as social, legal and educational studies. This is because at present there are very limited studies conducted on sexual harassment at workplace in Malaysia.

Abstrak tesis yang dikemukakan kepada Senat Universiti Putra Malaysia sebagai memenuhi sebahagian keperluan untuk ijazah Doktor Falsafah

**GANGGUAN SEKSUAL TERHADAP PEKERJA PERKERANIAN WANITA
DI TEMPAT KERJA**

Oleh

ROHANI BINTI ABDUL RAHIM

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Pada tahun 1999, masyarakat mula berminat tentang isu-isu berkaitan gangguan seksual. Pihak media sering memaparkan kes-kes gangguan seksual terutamanya di tempat kerja. Wanita menjadi mangsa di tempat-tempat kerja yang didominasi lelaki dan juga di persekitarannya yang toleran kepada gangguan seksual. Kebanyakan pengalaman itu tidak dilaporkan dan mereka merana dalam senyap kerana bimbang didendami dan dihina. Menurut perspektif perundangan, adalah penting untuk menentukan makna gangguan seksual terlebih dahulu.

Soalan kajian ialah: (1) Apakah makna gangguan seksual mengikut persepsi mangsa? (2) Apakah tahap kesedaran mangsa berkaitan gangguan seksual? (3) Bagaimanakah mangsa diganggu dan apakah jenis gangguan seksual yang dialami? (4) Apakah punca



gangguan seksual dan bagaimanakah punca-punca ini menggalakkan terjadinya gangguan seksual? (5) Bagaimanakah mangsa menerima kesan daripada gangguan seksual yang dialami? dan, (6) Bagaimanakah mangsa mengupaya terhadap gangguan tersebut dan kenapa mereka memilih cara tersebut? Kajian kes ini menggunakan pendekatan kualitatif terhadap sepuluh orang responden. Mereka dipilih dengan menggunakan persampelan bertujuan dan secara teknik 'snowball', berdasarkan kriteria tertentu, iaitu responden mestilah, (a) pekerja perkeranian wanita (b) pernah mengalami gangguan seksual (c) gangguan seksual berlaku di tempat kerja (d) pernah bekerja dalam sektor swasta atau badan berkanun (e) berumur melebihi 20 tahun. Mangsa diwawancara untuk memperolehi data berdasarkan pengalaman mereka.

Penemuan kajian mendedahkan persepsi mangsa, yang merujuk gangguan seksual sebagai tingkahlaku yang tidak dikehendaki, bersifat seksual dan sensitif, serta berkaitan gender. Wujud dua tahap kesedaran ditemui, iaitu kesedaran lampau dan kini. Tiga jenis gangguan yang dikenalpasti mangsa adalah ajakan dan komen lisan serta mempamer tanpa lisan. Kewujudan peluang, persekitaran yang toleran, sikap pengganggu dan personaliti mangsa, hubungan kuasa dan gender serta niat terancang dirujuk sebagai punca gangguan. Mangsa merujuk kesan gangguan meliputi kesan psikologi, perubahan personaliti, masalah berkaitan kesihatan dan sosial dan ketidakpuasan hati dalam kehidupan bekerja. Akhirnya, kajian mendapati mangsa menggunakan beberapa strategi mengupaya untuk menangani gangguan seksual yang dialami. Ia itu, sokongan sosial, pengupayaan sendiri, melakukan aduan tidak formal

dan pengupayaan secara psikologi. Penemuan ini dirumuskan seperti berikut: Pertama, wujud kesukaran dalam mengenalpasti makna gangguan seksual. Kedua, terdapat dua tahap kesedaran berkaitan gangguan seksual di kalangan wanita perkeranian iaitu kesedaran lampau dan kesedaran kini. Ketiga, mangsa sensitif kepada gangguan seksual yang bersifat eksplisit dan seksual. Keempat, ‘peluang’ dianggap sebagai sebab pencetus berlakunya gangguan seksual. Kelima, faktor psikologi emosi dan faktor berkaitan pekerjaan paling memberi kesan kepada mangsa gangguan seksual dan akhirnya, wujud masalah dalam usaha mengupaya gangguan seksual.

Kajian menghasilkan beberapa implikasi penting. Mangsa menjadi diberdayakan dan pengetahuan mereka terhadap gangguan seksual dipertingkatkan selepas melalui proses temuramah yang akhirnya membina kesedaran terhadap pengalaman gangguan seksual yang dilalui mereka. Dalam bidang perundangan, data kajian menunjukkan makna yang sama dengan “piawai wanita munasabah” yang diguna untuk memutuskan kes di mahkamah. Ini agak unik dan kreatif kerana mahkamah menggunakan piawai orang awam yang munasabah dalam menentukan makna “gangguan seksual”. Dalam organisasi, liabiliti lebih besar dikenakan terhadap majikan bagi memastikan tempat kerja bebas daripada amalan gangguan seksual. Kajian masa depan boleh dilakukan kepada pelbagai aspek amalan gangguan seksual seperti dalam bidang sosial, perundangan dan pendidikan. Ini kerana sehingga kini pengkajian berkaitan gangguan seksual ditempat kerja masih sangat terhad di Malaysia.

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I certify that an Examination Committee met on 25 February 2005 to conduct the final examination of Rohani Abdul Rahim on her Doctor of Philosophy thesis entitled "Sexual Harassment of Female Clerical Workers in the Workplace" in accordance with Universiti Pertanian Malaysia (Higher Degree) Act 1980 and Universiti Pertanian Malaysia (Higher Degree) Regulations 1981. The Committee recommends that the candidate be awarded the relevant degree. Members of the Examination Committee are as follows:

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DECLARATION

I hereby certify that the thesis is based on my original work except for quotations and citations which have been duly acknowledged. I also declare that it has not been previously or concurrently submitted for any degree at UPM or other institutions.



ROHANI BINTI ABDUL RAHIM

Date: 28 MAY 2005

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LIST OF CASES

Angela Vento, March 2001.

Bouton v. BMW of North America 29F.3d 103 (3rd Cir. 1994).

Bundy v. Jackson, 641 F.2d 934,(D.C.Cir.1981).

Burlington Industries, Inc. v. Ellerth., 118 S.Ct.2257,2266-67 (1998).

Burnett v. George (1992) 1 FLR 525.

Burns v. Mcgregor, 955 F.2d 559 (8th Cir.1992).

Burris v. Azadani (1995) 1 WLR 1372 ; (1995) 4 All ER 802.

Cross v. Cleaver, 142 F.3d 1059 (1998).

Dee Mazurkiewicz (1998).

Donoughue v. Stevenson(1932) A.C.562.

EEOC v. Hacienda Hotel 891 F.2d 1504 (9th Cir. 1989).

Ellerth v. Burlington Industries, 118 S.Ct.2270 (1998).

Ellison v. Brady, 924 F . 2d 872 1991.

Faragher v. Bacon Raton, 118S.Ct.2257(1998).

Gilbert v. Midland Bank, (September, 1998).

Harris v. Forklift Systems, Inc., 114 S.Ct. 367 (1993) ; 510 U.S. 17 (1993).

Henson v. City of Dundee, 682 F.2d 897 (11th Cir.1982).

Hong Leong Equipment Sdn Bhd. v. Liew Fook Chuan (1996) 1MLJ 493.

Hunter v. Canary Wharf Ltd. (1997) AC 655 at 707.

Jansen v. Packaging Corp. of America 123 F. 3d 103 (3rd Cir. 1994).

Jennico Associates Sdn. Bhd. v. Lillian Therera de Costa, Industrial Court Malaysia.
(Case no.7/4-256/94; Award no.606 of 1996); 2ILR 1794.



Khorasandjian v. Bush (1993)Q.B 727 ; (1993) 3 All ER 669 CA.

Lister and Others v. Hesley Hall [2001 IRLR 472: HL].

Little v. Oxford Collage of Further Education (August 2000).

Melawar Corporation Bhd. v. Abu Osman, (1994) 2 ILR, 807.

Meritor Savings Bank v. Vinson, 477 U.S.57 (1987).

Miller v. Bank of America, 600 F.2d211,(9th Cir.1979).

Mundy v. Palmetto Ford (988 Fd 1010. (4th Cir. 1993).

Patel v. Patel (1988) 2 FLR 179 CA.

Post Office v. Robert (1980) I.R.L.R 347

Projek Lebuhraya Utara Selatan v. Azhar Ahmad (Industrial Court, Award 162/93).

R v. Burstow (1996) the Times, 30 July.

R v. Ireland (1996) The Times , 22 May.

R v. Johnston (1996) The Times, 22 May.

R v. Wilson (1955) 1 All ER 744.

Rabidue v. Osceola Refining Co., 805 F.2d 611(6th Cir 1986).

Robinson v.Crompton Parkinson Ltd. (1978) I.R.L.R 61.

Robinson v. Jacksonville Shipyards,760 F.Supp.1486 (M.D. Fla.1991).

Sarah Locker (June 2000).

Todd v. Ortho Biotech Inc. 138 F.3d 733(8th Cir.1998).

Tomkins v. Public Service Electric & Gas Co. 568 F.2d 1044,(3d Cir.1977).

Wilkinson v. Downton (1897) 2 QB 57.



LIST OF STATUTES

England Malicious Communications Act 1988

England Protection from Harassment Act 1997

England Public Order Act 1986

England Telecommunications Act 1984

Malaysian Industrial Relation Act, 1967

Malaysian Employment Act 1955

Malaysian Federal Constitution

Malaysian Industrial Relation Act 1967

Malaysian Occupational Safety and Health Act, 1994

Malaysian Penal Code

Malaysian Occupational Safety and Health Act, 1994

Malaysia Public Officers (Conduct and Discipline) Regulations 1993

Malaysian Syariah Criminal Offences Act (Federal Territory), 1997

US Civil Rights Act 1961 (Amendment)

US Civil Rights Act 1961 Sexual Harrassment Act

US.Civil Rights Act of 1964.

